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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	P3439US00	1591
11764 7590 06/21/2012 Ditthavong Mori & Steiner, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER				
HO, HUY C				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
06/21/2012		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

**Office Action Summary****Application No.**

09/646,802

**Applicant(s)**

PUTKIRANTA, PETTERI

**Examiner**

HUY C. HO

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2012.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 5-9, 13, 14 and 16-28 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 5-9, 13, 14 and 16-28 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF 298)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_
- Paper No(s)/Mail Date 01/11/2012

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 04/03/2012 have been fully considered but they are moot because independent claims 5, 7 and 22 have been amended. The arguments are not persuasive for the following reasons.

First of all, the new added limitation "specifying" is not supported explicitly by the disclosure of the Specification as indicated by the Applicant at page 6, second paragraph; page 8, second and third paragraphs; and page 10, first paragraph.

Secondly, for the arguments, that Naddell does not take action to determine the apparatus arrives in a localized service area, the Examiner respectfully disagrees because Naddell teaches and suggests the communication unit 108 makes a determination it is in a service area serviced by a cellular base station 109 of system A (Naddell, Figure 1). In facts, the communication unit communicates with the cell towers 101-103 of different systems A-C when it roams and compares the available services provided by each system with its stored information about the services (Naddell, Figure 2, the service table 207, systems 208 and services 209). By exchanging communications with each system while roaming, the communication unit determines it is located within a particular system at a time and it displays indication of services to the user (Naddell, col 2 lines 1-23). Therefore, Naddell discloses "an action is taken to determine the apparatus arrives in a localized service area".

With respect to the arguments, that Salimando does not specify that the apparatus is in the localized service area, the Examiner respectfully disagrees because this featured limitation is taught and disclosed by the Naddell from Figures 1 and 2, wherein teaching a communication unit 108 arrives in a system and it determines it is within the system by comparing the system with its stored information from its memory service table comprising system names and services (Naddell, Figure 2, col 3 lines 20-58). Therefore, Naddell discloses the limitation "specify that the apparatus is in the localized service area".

Naddell, as admitted from the previous Non-Final Rejection dated 01/04/2012, that does not explicitly show "generating a message". However, Naddell teaches and suggests the communication unit 108 is in communications with different systems A-C when it roams, thus implicitly suggesting the communication unit must exchange communications information with the systems when roaming including signaling messages to and from the systems, thus the systems know where the communication unit is at certain times (Naddell, col 1 lines 65-67, col 2 lines 1-22). Salimando teaches a cellular phone requires services and makes determination his location is in the service area and transmits the phone's location to the system (Salimando, the abstract, Figure 1, col 3 lines 15-45). Therefore, Salimando discloses generating a message comprising specific location information of the user and sending the message to the system for acquiring services.

As such, Naddell, in view of Salimando, teaches and discloses the argued features of independent claims 5, 7 and 22 as explained and discussed above.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5, 7-9, 14, 16-19, 21, 22 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naddell et al. (US Patent 5,613,213) and further in view of Salimando (US Patent 5,561,704).

Regarding claim 5, (Currently Amended) Naddell teaches an apparatus (*Naddell, the abstract, figure 2*), comprising:

at least one processor (*Naddell, figure 2, number 201*); and  
at least one memory including computer program code for one or more programs, the at least one memory and the computer program code configured to, with the at least one processor (*Naddell, figure 2,*

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numbers 201, 205), cause the apparatus to perform at least the following:

the apparatus determines that the apparatus arrives in a localized service area, the message specifying that the apparatus is in the localized service area (Naddell, figure 3, col 3 lines 60-67, col 4 lines 1-10, 45-55, the communication unit 108 scans for available services associated with corresponding systems and determines if it is located in the areas of available services);

receive, in response to the message, one or more available services localized based upon the localized service area (Naddell, figure 3, col 4 lines 1-10, receiving the available services).

Naddell does not teach generating a message. However, it is noticeable Naddell teaches the communication unit scans for available services associated with systems for which the communication unit has stored in its memory when it roams from area to area in order to access to the desired services (Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67).

Salimando teaches a wireless mobile phone determines its location in longitude and latitude and transmits the location information plus service requirements to a remote directory containing a database for providing services to the mobile phone (see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10), thus disclosing generating a message.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify

Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters into, thus providing the user of the mobile phone controlling option when the user may initiate sending a request message about his location and required service when needed such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 7, (Currently Amended) Naddell teaches a method (Naddell, the abstract), comprising:

the mobile station determines that it arrives in a localized service area, the message specifying that the apparatus is in the localized service area (Naddell, figure 3, col 3 lines 60-67, col 4 lines 1-10, 45-55, the communication unit 108 scans for available services associated with corresponding systems and determines if it is located in the areas of available services);

receive, in response to the message, one or more available services localized based upon the localized service area (Naddell, figure 3, col 4 lines 1-10, receiving the available services).

Naddell does not teach generating a message, however, it is noticeable Naddell teaches the communication unit scans for available services associated with systems for which the communication unit has stored in its memory when it roams from area to area in order to access to the desired services (Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67).

Salimando teaches a wireless mobile phone determines its location in longitude and latitude and transmits the location information plus service requirements to a remote directory containing a database for providing services to the mobile phone (*see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters into, thus providing the user of the mobile phone controlling option when the user may initiate sending a request message about his location and required service when needed such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 22, (Currently Amended) Naddell teaches a computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

the apparatus determines that the apparatus arrives in a localized service area, the message specifying that the apparatus is in the localized service area (*Naddell, figure 3, col 3 lines 60-67, col 4 lines 1-10, 45-55, the communication unit 108 scans for available services associated with corresponding systems and determines if it is located in the areas of available services*);



receive, in response to the message, one or more available services localized based upon the localized service area (*Naddell, figure 3, col 4 lines 1-10, receiving the available services*).

Naddell does not teach generating a message, however, it is noticeable Naddell teaches the communication unit scans for available services associated with systems for which the communication unit has stored in its memory when it roams from area to area in order to access to the desired services (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67*).

Salimando teaches a wireless mobile phone determines its location in longitude and latitude and transmits the location information plus service requirements to a remote directory containing a database for providing services to the mobile phone (*see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters into, thus providing the user of the mobile phone controlling option when the user may initiate sending a request message about his location and required service when needed such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 6, (Previously Presented) Naddell, as modified by Salimando, teaches an apparatus of claim 5, wherein the apparatus is a mobile phone, and said at least one memory includes a removable memory (Naddell, figure 2, col 3 lines 20-60).

Regarding claim 8, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, further comprising: in response to the message receiving one or more service changes at the mobile station (Naddell, col 2 lines 30-50, col 4 lines 31-60, *checking for service availability at certain times*).

Regarding claim 9, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 8, wherein said one or more service changes involve sending of announcements to the mobile station (Naddell, col 2 lines 30-50, col 4 lines 31-60, *checking for service availability at certain times*).

Regarding claim 14, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 13, further comprising: receiving control information from a plurality of base stations at the mobile station, the control information including geographic coordinates of each respective one of the base stations (Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67); and

averaging the geographic coordinates of the base stations to obtain the current geographic location of the mobile station (Salimando, col 2 lines 35-50, *using triangulation method for determining the location*).

Regarding claim 16, (Previously Presented) Naddell, as modified

by Salimando, teaches a method of claim 7, wherein the message is either a short message service message, an unstructured supplementary service data message, or a dual tone multi-frequency-coded message (Salimando, col 2 lines 1-10).

Regarding claim 17, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the message is sent to the communications system base station in conjunction with a telephone call or a data call (Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10).

Regarding claim 18, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the one or more available services include transmitting announcements specific for the localized service area (Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67).

Regarding claim 19, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is an airport or a cafeteria (Naddell, figure 1, col 3 lines 1-17).

Regarding claims 21, 24, (Previously Presented) Naddell, as modified by Salimando, teaches an apparatus of claims 20, 22, wherein the apparatus is further caused to:

receiving control information from a plurality of base stations at the mobile station, the control information including geographic coordinates of each respective one of the base stations (Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67); and

averaging the geographic coordinates of the base stations to obtain the current geographic location of the apparatus (*Salimando, col 2 lines 35-50, using triangulation method for determining the location*).

Regarding claim 25, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is defined independently from cells, and the current geographic location of the mobile station includes geographic coordinates (*Naddell, figures 1, 2, col 3 lines 1-67, col 4 lines 1-67; Salimando, col 2 lines 1-55, using GPS system that makes independence of service areas and cell coverage areas*).

Regarding claim 26, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, further comprising: causing, at least in part, transmission of a notification indicating that the mobile station determines that the mobile station departs the localized service area to change reception of the one or more available services (*Naddell, figures 1, 2, col 3 lines 1-17*).

Regarding claim 27, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is defined in a chronological term, a temporal dimension, or a combination thereof (*Naddell, Col 4 lines 15-25, the service areas associated with time*).

Regarding claim 28, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the one or more available services include call pricing, call prioritization, a

modulation method limitation, a communication data rate, communication connection quality (*Naddell, col 4 lines 31-45, connection quality*), routing of incoming data to the mobile station or another mobile station, activation or inactivation of automatic call transfer (*(Naddell, col 2 lines 50-65, services are online or offline)*), activation or inactivation of a voice mail service, or a combination thereof.

4. Claims 13, 20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Naddell et al.* (US Patent 5,613,213) and further in view of *Salimando* (US Patent 5,561,704) and *Alperovich et al.* (US Patent 5,819,180).

Regarding claim 13, (Previously Presented) *Naddell*, as modified by *Salimando*, teaches a method of claim 7, wherein the mobile station determines that the mobile station arrives in the localized service area (*Naddell, figure 3, col 4 lines 10-5*).

*Naddell*, as modified by *Salimando*, does not explicitly teach comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station. However, *Naddell* teaches the mobile communication unit 205 determines it is in a local service area by checking the local system information received by scanning with its stored information in the memory service table 207 (*Naddell, figure 2, col 3 lines 20-67*).

*Alperovich* teaches a mobile station 40 having an application module 200, which compares the zone data with the data stored in the

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mobile station (*Alperovich, figure 6, col 5 lines 30-60*), thus disclosing comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Naddell and Salimando, by incorporating teachings of Alperovich a mobile station compares the system information with its stored information in a SIM card when it roams so the mobile station may receive services such as call connections with a particular phone numbers thus avoiding additional charges (*Alperovich, col 1 lines 1-67, col 2 lines 1-23*).

Regarding claim 20, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 5, wherein the mobile station determines that the mobile station arrives in the localized service area (*Naddell, figure 3, col 4 lines 10-5*).

Naddell, as modified by Salimando, does not explicitly teach comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station. However, Naddell teaches the mobile communication unit 205 determines it is in a local service area by checking the local system information received by scanning with its stored information in the memory service table 207 (*Naddell, figure 2, col 3 lines 20-67*).

Alperovich teaches a mobile station 40 having an application module 200, which compares the zone data with the data stored in the

mobile station (*Alperovich, figure 6, col 5 lines 30-60*), thus disclosing comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Naddell and Salimando, by incorporating teachings of Alperovich a mobile station compares the system information with its stored information in a SIM card when it roams so the mobile station may receive services such as call connections with a particular phone numbers thus avoiding additional charges (*Alperovich, col 1 lines 1-67, col 2 lines 1-23*).

Regarding claim 23, (Previously Presented) Naddell, as modified by Salimando, teaches a computer-readable storage medium of claim 22, wherein the mobile station determines that the mobile station arrives in the localized service area (*Naddell, figure 3, col 4 lines 10-5*).

Naddell, as modified by Salimando, does not explicitly teach comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station. However, Naddell teaches the mobile communication unit 205 determines it is in a local service area by checking the local system information received by scanning with its stored information in the memory service table 207 (*Naddell, figure 2, col 3 lines 20-67*).

Alperovich teaches a mobile station 40 having an application module 200, which compares the zone data with the data stored in the

mobile station (*Alperovich, figure 6, col 5 lines 30-60*), thus disclosing comparing geographic location of the mobile station with a geographic definition of the localized service area stored at the mobile station.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Naddell and Salimando, by incorporating teachings of Alperovich a mobile station compares the system information with its stored information in a SIM card when it roams so the mobile station may receive services such as call connections with a particular phone numbers thus avoiding additional charges (*Alperovich, col 1 lines 1-67, col 2 lines 1-23*).

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUY C HO/  
Examiner, Art Unit 2617

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/Patrick N. Edouard/

Supervisory Patent Examiner, Art Unit 2617